



1 shall petition the COUNTY board of ~~supervisors~~ **COMMISSIONERS** of the  
 2 county in which ~~such lands and premises affected thereby are~~ **THE**  
 3 **TERRITORY IS** situated to make ~~such~~ **THAT** change. ~~Such~~ **THE PETITION**  
 4 **SHALL BE SIGNED BY THE PRESIDENT AND CLERK OF THE VILLAGE. THE**  
 5 petition shall ~~contain a~~ **INCLUDE ALL OF THE FOLLOWING:**

6 (A) A description by metes and bounds of the ~~lands and~~  
 7 ~~premises~~ **TERRITORY** proposed to be added to or taken out of such  
 8 ~~village, and shall set forth the~~ **ANNEXED OR DETACHED.**

9 (B) **THE** reasons for the proposed **BOUNDARY** change. ~~, and shall~~  
 10 ~~contain a~~

11 (C) A copy of the resolution of the council in relation  
 12 ~~thereto, and shall be signed by the president and clerk of such~~  
 13 ~~village~~ **TO THE BOUNDARY CHANGE.**

14 (2) Before ~~such~~ **THE** petition shall ~~be~~ **IS** presented to the  
 15 **COUNTY** board of ~~supervisors~~ ~~notice shall be given by the clerk~~  
 16 **COMMISSIONERS, THE VILLAGE CLERK SHALL GIVE NOTICE** of the time and  
 17 place when the ~~same~~ **PETITION** will be presented for consideration,  
 18 ~~by publishing the same~~ **PUBLICATION** in a newspaper ~~published in such~~  
 19 ~~village for at least 3~~ **OF GENERAL CIRCULATION IN THE VILLAGE AND**  
 20 **THE TERRITORY PROPOSED TO BE ANNEXED OR DETACHED NOT LESS THAN ONCE**  
 21 **EACH WEEK FOR 3 CONSECUTIVE** weeks immediately preceding the  
 22 presentation of the ~~same, and if no newspaper is published in such~~  
 23 ~~village, then~~ **PETITION OR** by posting the ~~same~~ **NOTICE** in at least 3  
 24 ~~of the most~~ public places within the village **NOT LOCATED IN ANY**  
 25 **TERRITORY PROPOSED TO BE ANNEXED OR DETACHED,** and in at least 3 ~~of~~  
 26 ~~the most~~ public places ~~of~~ **IN** the territory ~~directly affected~~  
 27 ~~thereby. Such~~ **PROPOSED TO BE ANNEXED OR DETACHED. THE** notice shall

1 also contain a description of the ~~premises~~ **TERRITORY** proposed to be  
2 ~~taken in or out of the boundaries of such village. At the time of~~  
3 ~~presenting such petition all~~ **ANNEXED OR DETACHED.**

4 **(3) IF A PETITION IS PRESENTED, INTERESTED** parties interested  
5 may appear before ~~such~~ **THE COUNTY** board of supervisors  
6 **COMMISSIONERS** and be heard ~~touching the proposed boundaries of such~~  
7 ~~village, and after such hearing and due consideration of such~~  
8 ~~petition, it shall be the duty of the board of supervisors to order~~  
9 ~~and determine as to whether the prayer contained in the petition or~~  
10 ~~any part thereof shall be granted, and they shall make an order of~~  
11 ~~such determination, which order shall be entered upon their~~  
12 ~~records, and thereupon the boundaries of such village shall be~~  
13 ~~fixed and shall exist as provided in such order, and a certified~~  
14 ~~copy thereof shall be transmitted to the clerk of such village and~~  
15 ~~to the secretary of state, and such order shall be prima facie~~  
16 ~~evidence of such change of boundaries of such village and of the~~  
17 ~~regularity of such proceedings in all courts and places~~ **ON THE**  
18 **PROPOSAL. IF THE COUNTY BOARD OF COMMISSIONERS ENTERS AN ORDER**  
19 **APPROVING THE PETITION, AND IF ON THE DATE THE PETITION OR**  
20 **RESOLUTION WAS FILED MORE THAN 100 PERSONS RESIDED IN THE AREA**  
21 **APPROVED FOR ANNEXATION, THE COUNTY BOARD OF COMMISSIONERS SHALL**  
22 **SEND A CERTIFIED COPY OF ITS ORDER TO THE CLERK OF EACH COUNTY,**  
23 **VILLAGE, AND TOWNSHIP AFFECTED AND TO THE SECRETARY OF STATE. THE**  
24 **COUNTY BOARD OF COMMISSIONERS' ORDER SHALL BECOME FINAL 30 DAYS**  
25 **AFTER THE DATE OF THE ORDER UNLESS WITHIN THAT 30-DAY PERIOD A**  
26 **PETITION IS FILED WITH THE COUNTY ELECTION COMMISSION THAT CONTAINS**  
27 **THE SIGNATURES OF AT LEAST 25% OF THE REGISTERED ELECTORS RESIDING**

1 IN THE PORTION OF THE TERRITORY APPROVED FOR ANNEXATION, IN THE  
2 ANNEXING VILLAGE, OR IN THE BALANCE OF THE TOWNSHIP. AFTER  
3 VERIFYING THAT THE REFERENDUM PETITION MEETS THE REQUIREMENTS FOR  
4 PETITIONS UNDER THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.1  
5 TO 168.992, THE COUNTY ELECTION COMMISSION SHALL ORDER THAT A  
6 REFERENDUM ON THE QUESTION OF ANNEXATION BE HELD IN EACH AREA FROM  
7 WHICH A VALID PETITION WAS FILED. IF A VALID PETITION IS NOT FILED  
8 WITHIN 30 DAYS OR IF THE MAJORITY OF THE ELECTORATE VOTING ON THE  
9 QUESTION IN EACH AREA IN WHICH A REFERENDUM WAS HELD, VOTING  
10 SEPARATELY, APPROVES THE ANNEXATION, THE ANNEXATION SHALL BE  
11 EFFECTIVE ON A DATE SET BY ORDER OF THE COUNTY BOARD OF  
12 COMMISSIONERS; OTHERWISE THE ANNEXATION SHALL NOT TAKE EFFECT.

13 (4) THE COUNTY BOARD OF COMMISSIONERS SHALL NOT APPROVE A  
14 PETITION FOR ANNEXATION OR DETACHMENT IF THAT PROPOSED ANNEXATION  
15 OR DETACHMENT WAS DISAPPROVED BY THE COUNTY BOARD OF COMMISSIONERS  
16 OR REJECTED BY THE QUALIFIED ELECTORS WITHIN 2 YEARS BEFORE THE  
17 DATE THE PETITION IS FILED UNDER SUBSECTION (1), EXCEPT AS  
18 OTHERWISE PROVIDED IN SECTION 6C OF THIS CHAPTER.

19 (5) TERRITORY MAY BE ANNEXED TO A VILLAGE FROM A TOWNSHIP ONLY  
20 IF THE TERRITORY TO BE ANNEXED DOES NOT CONTAIN ANY REAL PROPERTY  
21 OWNED BY THE TOWNSHIP, EXCEPT FOR UTILITIES AND OTHER FACILITIES  
22 THAT ARE LOCATED WITHIN A PUBLIC RIGHT-OF-WAY.

23 (6) NOTWITHSTANDING THE PROVISIONS OF SECTION 6B OF THIS  
24 CHAPTER, IF THE TERRITORY PROPOSED TO BE ANNEXED TO A VILLAGE IS  
25 LOCATED IN A TOWNSHIP AND IS ADJACENT TO AND OWNED BY THE VILLAGE  
26 PROPOSING TO ANNEX THE TERRITORY AND IF NO PERSONS RESIDE IN THE  
27 TERRITORY, THE TERRITORY MAY BE ANNEXED UNDER 1 OF THE FOLLOWING

## 1 METHODS:

2 (A) IF THE TERRITORY WILL BE USED FOR A PUBLIC PURPOSE FOR NOT  
3 LESS THAN 8 YEARS FROM THE ADOPTION OF THE RESOLUTION, BY  
4 RESOLUTION OF THE VILLAGE COUNCIL. FOR THE PURPOSE OF THIS  
5 SUBDIVISION, TERRITORY IS USED FOR A PUBLIC PURPOSE IF IT IS EXEMPT  
6 FROM THE COLLECTION OF TAXES UNDER THE GENERAL PROPERTY TAX ACT,  
7 1893 PA 206, MCL 211.1 TO 211.155. THE TOWNSHIP FROM WHICH PROPERTY  
8 IS ANNEXED UNDER THIS SUBDIVISION MAY FILE A PETITION WITH THE  
9 COUNTY BOARD OF COMMISSIONERS AT ANY TIME WITHIN 8 YEARS FROM THE  
10 ADOPTION OF THE RESOLUTION, ALLEGING THAT THE PROPERTY ANNEXED IS  
11 NOT BEING USED FOR A PUBLIC PURPOSE. IF THE COUNTY BOARD OF  
12 COMMISSIONERS FINDS AFTER A HEARING ON THE PETITION THAT THE  
13 PROPERTY IS NOT BEING USED FOR A PUBLIC PURPOSE, THE COUNTY BOARD  
14 OF COMMISSIONERS SHALL ISSUE AND ENTER IN ITS RECORDS AN ORDER THAT  
15 THE PROPERTY BE REATTACHED TO THE TOWNSHIP FROM WHICH IT WAS  
16 ANNEXED.

17 (B) BY THE AFFIRMATIVE MAJORITY VOTE OF BOTH THE VILLAGE  
18 COUNCIL AND THE TOWNSHIP BOARD.

19 (7) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (6), A PROPOSED  
20 ANNEXATION OF TERRITORY IN WHICH 100 OR FEWER PERSONS RESIDED ON  
21 THE DATE THE PETITION IS FILED IS SUBJECT TO THE PROVISIONS OF  
22 SECTION 6B.

23 (8) THE INCORPORATION AS A CITY BY A VILLAGE IS NOT AN  
24 ANNEXATION UNDER THIS SECTION.

25 SEC. 6B. (1) THE ANNEXATION OF ANY TERRITORY WITH 100 OR FEWER  
26 RESIDENTS TO A VILLAGE FROM A TOWNSHIP FOR WHICH A PETITION IS  
27 FILED WITH THE COUNTY BOARD OF COMMISSIONERS ON OR AFTER THE

1 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION IS  
2 SUBJECT TO THE PROCEDURES AND CONDITIONS SET FORTH IN THIS SECTION,  
3 EXCEPT AS PROVIDED IN SECTION 6C.

4 (2) A VILLAGE, PROPERTY OWNER, OR REGISTERED ELECTOR THAT  
5 INTENDS TO PETITION THE COUNTY BOARD OF COMMISSIONERS FOR  
6 ANNEXATION OF TERRITORY WITH 100 OR FEWER RESIDENTS TO A VILLAGE  
7 FROM A TOWNSHIP SHALL PROVIDE WRITTEN NOTICE OF THAT INTENT BY  
8 CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE CLERK OF ANY  
9 VILLAGE OR TOWNSHIP THAT IS AFFECTED BY THE PROPOSAL AND TO THE  
10 COUNTY ELECTION COMMISSION.

11 (3) THE VILLAGE AND TOWNSHIP MAY NEGOTIATE AN AGREEMENT  
12 CONCERNING THE ANNEXATION OF THE TERRITORY THAT INCLUDES, BUT IS  
13 NOT LIMITED TO, AN AGREEMENT NOT TO CONTEST THE ANNEXATION PETITION  
14 BEFORE THE COUNTY BOARD OF COMMISSIONERS, THE SHARING OF TAX  
15 REVENUES, THE FUTURE LAND USE OF THE TERRITORY, AND ANY OTHER  
16 FACTORS OR TERMS THAT MAY BE CONSIDERED OR PROVIDED FOR IN A  
17 CONTRACT NEGOTIATED UNDER 1984 PA 425, MCL 124.21 TO 124.30, OR AN  
18 INTERLOCAL AGREEMENT NEGOTIATED UNDER THE URBAN COOPERATION ACT OF  
19 1967, 1967 (EX SESS) PA 7, MCL 124.501 TO 124.512.

20 (4) FORTY-FIVE DAYS AFTER RECEIPT OF THE NOTICE UNDER  
21 SUBSECTION (2), IF NO AGREEMENT HAS BEEN REACHED UNDER SUBSECTION  
22 (3) BETWEEN THE VILLAGE AND THE TOWNSHIP CONCERNING THE PROPOSED  
23 ANNEXATION, A PETITION FOR ANNEXATION OF TERRITORY MAY BE FILED  
24 WITH THE COUNTY BOARD OF COMMISSIONERS. ON THE SAME DAY THAT THE  
25 PETITION IS FILED, THE PETITIONER SHALL SEND A COPY OF THE PETITION  
26 BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO THE CLERK OF BOTH  
27 THE VILLAGE AND TOWNSHIP IN WHICH THE TERRITORY IS LOCATED.

1           (5) IF NO AGREEMENT IS REACHED WITHIN 45 DAYS AFTER RECEIPT OF  
2 THE NOTICE UNDER SUBSECTION (2), THE VILLAGE OR THE TOWNSHIP MAY  
3 FILE A CLAIM NOT LATER THAN 10 DAYS AFTER THE EXPIRATION OF THAT  
4 PERIOD IN THE CIRCUIT COURT ASSERTING THAT THE OTHER PARTY DID NOT  
5 PARTICIPATE IN NEGOTIATIONS IN GOOD FAITH. IF THE COURT FINDS THAT  
6 THE VILLAGE OR TOWNSHIP DID NOT PARTICIPATE IN NEGOTIATIONS IN GOOD  
7 FAITH, IT MAY PROVIDE APPROPRIATE EQUITABLE RELIEF, INCLUDING, BUT  
8 NOT LIMITED TO, PROHIBITING THE ANNEXATION FOR A PERIOD OF NOT MORE  
9 THAN 2 YEARS OR PROHIBITING THE REFERENDUM PROVIDED FOR IN  
10 SUBSECTION (6).

11           (6) IF, WITHIN 30 DAYS AFTER RECEIPT BY THE CLERK OF THE  
12 TOWNSHIP OF THE PETITION FOR ANNEXATION, A PETITION FOR A  
13 REFERENDUM ON THE QUESTION OF ANNEXATION IS FILED WITH THE COUNTY  
14 ELECTION COMMISSION THAT CONTAINS THE SIGNATURES OF AT LEAST 25% OF  
15 THE REGISTERED ELECTORS IN THE AFFECTED TOWNSHIP, BASED ON THE MOST  
16 RECENT CERTIFICATION OF THE NUMBER OF REGISTERED ELECTORS MADE BY  
17 THE TOWNSHIP CLERK TO THE COUNTY CLERK, THE COUNTY ELECTION  
18 COMMISSION SHALL CERTIFY THAT THE REFERENDUM PETITION MEETS THE  
19 REQUIREMENTS FOR PETITIONS UNDER THE MICHIGAN ELECTION LAW, 1954 PA  
20 116, MCL 168.1 TO 168.992, AND CALL A SPECIAL ELECTION FOR THE  
21 REFERENDUM TO BE HELD IN THE TOWNSHIP WITHIN WHICH THE TERRITORY  
22 PROPOSED FOR ANNEXATION IS LOCATED. IF A TOWNSHIP REFERENDUM  
23 PETITION IS CERTIFIED, THE GOVERNING BODY OF THE VILLAGE MAY ALSO  
24 SCHEDULE A REFERENDUM ON THE ANNEXATION TO BE HELD ON THE SAME DAY  
25 IN THE VILLAGE. UP TO 30 DAYS AFTER THE REFERENDUM PETITION IS  
26 FILED, THE GOVERNING BODY OF THE VILLAGE OR TOWNSHIP MAY ADOPT A  
27 RESOLUTION TO DELAY SCHEDULING THE REFERENDUM TO ALLOW TIME FOR THE

1 VILLAGE AND TOWNSHIP TO CONTINUE NEGOTIATIONS CONCERNING THE  
2 ANNEXATION. UPON ADOPTION OF A RESOLUTION BY THE GOVERNING BODY OF  
3 THE VILLAGE OR TOWNSHIP, THE SCHEDULING OF THE REFERENDUM SHALL BE  
4 DELAYED UNTIL 90 DAYS AFTER THE DATE ON WHICH THE REFERENDUM  
5 PETITION IS CERTIFIED. THE COUNTY ELECTION COMMISSION SHALL NOT  
6 MEET TO SCHEDULE THE REFERENDUM UNTIL 30 DAYS AFTER THE PETITION IS  
7 FILED. THE SPECIAL ELECTION SHALL BE HELD NOT LESS THAN 60 DAYS OR  
8 MORE THAN 90 DAYS AFTER THE COUNTY ELECTION COMMISSION MEETS TO  
9 SCHEDULE THE ELECTION UNDER THIS SUBSECTION, UNLESS A PRIMARY OR  
10 REGULAR ELECTION, OR A SPECIAL ELECTION CALLED FOR ANOTHER PURPOSE,  
11 OCCURS NOT LESS THAN 60 DAYS OR MORE THAN 90 DAYS AFTER THE  
12 REFERENDUM PETITION IS FILED. IN THAT EVENT, THE REFERENDUM SHALL  
13 BE SUBMITTED AT THAT PRIMARY, REGULAR, OR SPECIAL ELECTION AND AN  
14 ADDITIONAL SPECIAL ELECTION SHALL NOT BE CALLED.

15 (7) IF A PETITION CONTAINING SUFFICIENT VALID SIGNATURES FOR A  
16 REFERENDUM ON THE QUESTION OF ANNEXATION IS NOT FILED WITH THE  
17 COUNTY ELECTION COMMISSION UNDER SUBSECTION (6), THE COUNTY BOARD  
18 OF COMMISSIONERS SHALL PROCEED TO PROCESS THE ANNEXATION PETITION  
19 UNDER SECTION 6.

20 (8) IF AN AGREEMENT UNDER SUBSECTION (3) IS REACHED 30 DAYS  
21 BEFORE THE DATE OF AN ELECTION SCHEDULED UNDER SUBSECTION (6), THE  
22 REFERENDUM SHALL NOT BE HELD. IF NO AGREEMENT IS REACHED, THE  
23 REFERENDUM SHALL BE HELD AS ORDERED BY THE COUNTY ELECTION  
24 COMMISSION. THE ANNEXATION SHALL BE ALLOWED TO OCCUR ONLY IF A  
25 MAJORITY OF THE ELECTORS VOTING ON THE ISSUE IN THE TOWNSHIP WITHIN  
26 WHICH THE TERRITORY PROPOSED FOR ANNEXATION IS LOCATED, AND IN THE  
27 VILLAGE IF IT HOLDS AN ELECTION UNDER SUBSECTION (6), COUNTED

1 SEPARATELY, VOTE FOR THE ANNEXATION.

2 (9) IF A MAJORITY OF THE ELECTORS VOTING ON THE ISSUE IN THE  
3 TOWNSHIP WITHIN WHICH THE TERRITORY PROPOSED FOR ANNEXATION IS  
4 LOCATED VOTE FOR THE ANNEXATION, AND A MAJORITY OF THE ELECTORS  
5 VOTING ON THE ISSUE IN THE VILLAGE VOTE FOR THE ANNEXATION IF IT  
6 HOLDS AN ELECTION UNDER SUBSECTION (6), AND THE COUNTY BOARD OF  
7 COMMISSIONERS APPROVES THE ANNEXATION UNDER SECTION 6(3), THE  
8 COUNTY BOARD OF COMMISSIONERS SHALL SEND A CERTIFIED COPY OF ITS  
9 ORDER TO THE CLERK OF EACH COUNTY, VILLAGE, AND TOWNSHIP AFFECTED  
10 AND TO THE SECRETARY OF STATE. THE ANNEXATION SHALL BE EFFECTIVE ON  
11 A DATE SET FORTH IN THE COUNTY BOARD OF COMMISSIONERS' ORDER.

12 SEC. 6C. IF THE GOVERNING BODIES OF A VILLAGE AND TOWNSHIP  
13 APPROVE BY RESOLUTION AN AGREEMENT TO ANNEX, OR NOT TO CONTEST THE  
14 ANNEXATION OF, TERRITORY IN THE TOWNSHIP WITH 100 OR FEWER  
15 RESIDENTS BEFORE A PETITION FOR ANNEXATION IS FILED WITH THE COUNTY  
16 BOARD OF COMMISSIONERS, THE PROVISIONS OF SECTION 6B DO NOT APPLY  
17 AND A PETITION FOR ANNEXATION MAY BE FILED AT ANY TIME.

18 SEC. 6D. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT,  
19 TERRITORY MAY BE DETACHED FROM A VILLAGE TO A TOWNSHIP ONLY IF ALL  
20 OF THE FOLLOWING CONDITIONS ARE MET:

21 (A) THE TERRITORY TO BE DETACHED DOES NOT CONTAIN ANY REAL  
22 PROPERTY OWNED BY THE VILLAGE, EXCEPT FOR UTILITIES AND OTHER  
23 FACILITIES THAT ARE LOCATED WITHIN A PUBLIC RIGHT-OF-WAY.

24 (B) THE TERRITORY TO BE DETACHED WAS NOT ANNEXED WITHIN THE  
25 PREVIOUS 2 YEARS, CALCULATED FROM THE DATE THAT THE MOST RECENT  
26 ANNEXATION OF THAT TERRITORY, IF ANY, WAS COMPLETED.

27 (C) THE DETACHMENT IS APPROVED BY A MAJORITY VOTE OF THE

1 QUALIFIED ELECTORS RESIDING IN EACH OF THE FOLLOWING, COUNTED  
2 SEPARATELY:

3 (i) THE TERRITORY PROPOSED TO BE DETACHED FROM THE VILLAGE.

4 (ii) THE REMAINING PORTION OF THE VILLAGE.

5 (iii) THE TOWNSHIP TO WHICH THE TERRITORY WILL BE ATTACHED.

6 Enacting section 1. This amendatory act does not take effect  
7 unless all of the following bills of the 94th Legislature are  
8 enacted into law:

9 (a) Senate Bill No.\_\_\_\_ or House Bill No. 5825(request no.  
10 06117'07).

11 (b) Senate Bill No.\_\_\_\_ or House Bill No. 5823(request no.  
12 06118'07).

13 (c) Senate Bill No.\_\_\_\_ or House Bill No. 5822(request no.  
14 06119'07).

15 (d) Senate Bill No.\_\_\_\_ or House Bill No. 5821(request no.  
16 06120'07).

17 (e) Senate Bill No.\_\_\_\_ or House Bill No. 5779(request no.  
18 H06190'07\*).